

as it previously contended that CVSA was considered an expensive prop “according to almost all law enforcement types who bought it.”

58. This statement is false as nearly 2,000 law enforcement agencies worldwide are utilizing the CVSA system, including approximately 175 agencies in Florida alone.

→ 59. The Dektor website further states that: “CVSA, its training and chart analysis techniques have not shown proven reliable accuracy better than about 50% in studies and real crimes.” (available at <http://www.dektorpse.com/information/cvsa/>).

→ 60. This statement is false. As explained above, a 2012 peer-reviewed and published study of the CVSA showed its error rate to be less than 1%. Further, a 2007 U.S. Department of Defense survey of law enforcement users of the CVSA found that approximately 86% of the respondents indicated they thought the CVSA was either “very” or “extremely” effective in detecting stress.

Exhibit
28

Arthur Herring III

From: Daniel DeSouza <d-desouza@desouzalaw.com>
Sent: Tuesday, February 4, 2020 5:36 AM
To: Arthur Herring III
Cc: James D'Loughy - Advisor Law PLLC (JDLOUGHY@advisorlaw.com); Denise Aguilar
Subject: RE: chapman study

Mr. Herring,

I have not responded to your prior e-mails on the subject because, as you know, the Court entered final judgment against you and Dektor on December 16, 2019 (you know this because you also continue e-mailing me questions about when the judgment will be 'transferred' to Pennsylvania so you can file yet another bankruptcy). That judgment was largely influenced by what the Court deemed severe/significant misconduct by you throughout the case.

Because judgment has been entered, the case is over and there is no mechanism, basis, or requirement for you continuing to seek answers with respect to the substance of the case. The time for questions such as the one below was during the case, but you were apparently too busy destroying e-mails, creating secret e-mail accounts, etc. to substantively participate. That said, you have asked this question before and I have previously responded that neither I nor NITV has the contact information you're requesting. In fact, you were allowed extensive time during the evidentiary hearing on December 10, 2019 to argue your position, to testify yourself (which at first you refused to do), and to cross-examine NITV's witness (Charles Humble). You asked several questions to Mr. Humble himself with respect to the Chapman study and were told the same I previously conveyed to you - NITV does not have the contact information of the publisher and was not involved in the preparation of the Chapman study.

Although I certainly have no control over your actions, I would ask that you stop cluttering my inbox with the same e-mails for which no response is needed. You've already received answers to your questions multiple times, and continuing to ask the same question is not going to yield a different result. The case is over, and all that remains is post-judgment collection issues and your ongoing compliance with the permanent injunction that has been entered against you (which you previously stated in writing (in your filings in the lawsuit) that you would not comply with and that you would continue sending the e-mails to law enforcement/government agencies that you've been ordered to stop. Again, I have no control over your actions, but I would hope you have ceased that activity so that we don't need to pursue the matter any further by filing a motion for contempt.

Daniel DeSouza

DeSouza Law, P.A.
3111 N. University Drive | Suite 301 | Coral Springs, FL 33065 (Mailing Address)
101 NE Third Avenue | Suite 1500 | Fort Lauderdale, FL 33301
954.603.1340 (office) | 954.551.5320 (mobile)
d-desouza@desouzalaw.com | www.desouzalaw.com

From: Arthur Herring III <admin@dektorpse.com>
Sent: Monday, February 3, 2020 11:04 PM
To: Daniel DeSouza <d-desouza@desouzalaw.com>

Exhibit
30

McHALE & SLAVIN, P.A.

ATTORNEYS AT LAW

PALM BEACH

FIRST UNION CENTER
SUITE 402, 4440 PGA BOULEVARD
PALM BEACH GARDENS, FLORIDA 33410
e-mail: palmbeach@mspatents.com
TELEPHONE (561) 625-6575
FACSIMILE (561) 625-6572

U.S. & INTERNATIONAL
PATENTS, TRADEMARKS, COPYRIGHTS,
RELATED LICENSING & LITIGATION

MIAMI

e-mail: miami@mspatents.com
TELEPHONE (305) 374-3311
FACSIMILE (305) 374-8232

CHICAGO

e-mail: chicago@mspatents.com
TELEPHONE (312) 939-2515

May 2, 2003

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Arthur Herring
Dektor Corp.
462 Cowpath, Suite 358
Lansdale, PA 19446

Dear Mr. Herring:

We represent National Institute for Truth Verification in intellectual property matters.

The company has recently filed a civil action against The Baker Group as a result of false statements being made in interstate commerce. (A copy of our Complaint is enclosed.)

You have previously made false statements against the interests of the company and its founder, Dr. Charles Humble. These statements are demonstrably false and will subject you to civil penalties, as well as punitive damages, for the malicious nature of the statements.

The company is prepared to file a civil action against you, however, it is willing to resolve this matter in the form of a written agreement, whereby you will agree to immediately cease all such further statements.

I would ask that you or your attorneys contact me within seven (7) days of receipt of this letter so that we may know your intentions.

Sincerely,

McHALE & SLAVIN, P.A.

Edward E. McHale
EFM:cac
Enclosure

ADVISORLAW
ATTORNEYS & COUNSELLORS AT LAW

June 17, 2019

Via E-mail: antipolygraph.org@protonmail.com

AntiPolygraph.org
c/o G.W. Maschke
Else Mauhsiaan 39
2597 HA The Hague
The Netherlands

RE: **ORDER AND PERMANENT INJUNCTION**

NITV Federal Services, LLC. v. Dektor Corporation and Arthur Herring, III
United States District Court, Southern District of Florida
Case No. 9:18-cv-80994 ("Lawsuit")

Dear Mr. Maschke:

The undersigned represents NITV Federal Services, LLC and its President, Dr. Charles Humble. As the sole owner and publisher of Antipolygraph.org, we are writing you concerning the following twelve web links hosted through Antipolygraph.org:

1. <https://antipolygraph.org/blog/2019/05/19/federal-judge-orders-immediate-removal-of-website-critical-of-computer-voice-stress-analysis/>
2. <https://antipolygraph.org/blog/2018/07/31/nitv-hires-disgraced-ex-cop-jerry-w-crotty-ii-as-director-of-law-enforcement-operations/>
3. <https://antipolygraph.org/cgi-bin/forums/YaBB.pl?num=1263627833/3>
4. <https://antipolygraph.org/blog/tag/cvsa/>
5. <https://antipolygraph.org/blog/>
6. <https://antipolygraph.org/blog/2018/07/08/nailing-the-pretest-interview-a-presentation-by-skip-webb/>
7. <https://antipolygraph.org/blog/category/voice-stress/>

G.W. Maschke
AntiPolygraph.org
June 17, 2019
Page 2

8. <https://antipolygraph.org/cgi-bin/forums/YaBB.pl?num=1298124260>
9. <https://antipolygraph.org/blog/2009/03/12/baker-dvsa-loses-a-customer/>
10. <https://antipolygraph.org/cgi-bin/forums/YaBB.pl?action=RSSboard&board=cvsa>
11. <https://antipolygraph.org/blog/?s=cvsa>
12. <https://antipolygraph.org/blog/2019/06/06/nitv-threatens-competitors-it-consultant-with-federal-lawsuit/>

The foregoing web links are being hosted in violation of the Court's May 17, 2019 Order and Permanent Injunction ("Order") entered in the above referenced case whereby it prohibits the publishing or posting of any website, blog, or other writing accessible via the internet which contains any false or disparaging remarks or statements about NITV, its CVSA product, or Dr. Charles Humble. For a detailed description of the injunction, you should refer to pages 16 through 18 of the Order which is attached hereto.

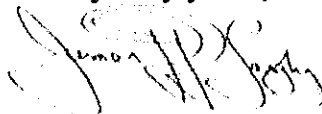
As such, you are required to permanently remove the above referenced offending web links and any other web links or materials that are governed under the Order. In addition, you are required by the Order to immediately forward a copy of this letter to all other persons or companies with custodial responsibilities to ensure compliance with the Order.

Last, you are also requested to reply to the undersigned to confirm compliance with the Order within ten (10) days of your receipt of this letter.

ANTIPOLYGRAPH.ORG'S FAILURE TO FULLY COMPLY WITH THE ORDER AND PERMANENT INJUNCTION MAY RESULT IN THE COURT IMPOSING SEVERE SANCTIONS AGAINST ANTIPOLYGRAPH.ORG.

We look forward to your written notification of compliance with the Court's Order. Thank you in advance for your cooperation.

Very truly yours,



James D'Loughy

JDD/da

Enclosure: May 17, 2019 Order and Permanent Injunction

Exhibit

32

Alert:

NITV's Response To Dektor Flyer

Quite a few law enforcement agencies have received flyers from a company called Dektor, Lansdale, PA, concerning voice stress analysis and have requested a response. Unfortunately, the flyers contain false and misleading information that you should be aware of.

The voice stress analyzer (PSE) that Arthur Herring, a private investigator, is selling is used by very few, if any, law enforcement agencies. In fact, Herring operates out of Lansdale, PA, and the Lansdale P.D. does not use Herring's PSE, they use the CVSA. It is also unfortunate that Herring has a history of attempting to discredit the CVSA, NITV, and the NITV's founder, Dr. Humble.

It is also interesting to note that when the federal government recently decided to test voice stress analysis as a truth verification device in three separate studies, they chose the most widely used and accepted voice stress analyzer, the CVSA, not Herring's PSE. These studies are being conducted at the Air Force Laboratory, the University of Florida and at the University of Oklahoma. Additionally, many elements of the federal government use the CVSA, not Herring's PSE.

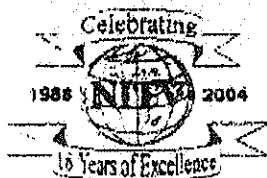
The original company named Dektor was the manufacturer of the Psychological Stress Evaluator (PSE), back in the 70's. However, because the owners did not keep up with the advances in technology and due to the fierce attacks by the polygraphers, they filed bankruptcy in 1984. After the owner passed away, Herring started his own voice stress analysis company and named it Dektor. Likewise, his voice stress analyzer is not the original PSE. Herring's literature claims to have a trademark on 'Voice Stress Analysis' and 'Filter-Scan.' A check of the trademarks shows that he has neither.

From his literature, it appears that the system that Herring is trying to sell is a very primitive voice stress analyzer that still requires the examiner to tape record the interview and then run each response through a laptop computer (not real-time analysis). It also appears that the computer displays only one response at a time.

Herring touts the fact that he requires NO re-certification/continuing education. Any examiner that is worth his or her salt will tell you that continuing education/re-certification is essential to the long-term success of conducting examinations and to not require it could be considered irresponsible. Additionally, examiners trained by the NITV may re-certify at any of the four regional associations' re-certification courses for a very nominal fee, not the "tens of thousands of dollars" that Herring mentions.

Herring also claims that imitators (anyone but Herring) use "Compensated" testimonials. The NITV lists all of our users on our Web site so that anyone may call to check how satisfied our customers are. Herring does not.

In conclusion, you may want to ask Herring why, after having the PSE on the market since 1970, there are few, if any, law enforcement agencies using it and there are more than 1,400 using the CVSA (his answer should be interesting). You may also want to ask him why the US Military and the interrogators at GTMO use the CVSA exclusively, not the PSE. You may also want to check Herring's credentials to teach law enforcement personnel.



NATIONAL INSTITUTE FOR TRUTH VERIFICATION

Exhibit
NITV Sent This to
ALL ATTENDING my
Class - I can get
affidavits if necessary
←

Executive Director

Capt. David Hughes (Ret.)
West Palm Beach P.D.
West Palm Beach, FL

Board of Directors

Chairman & CEO
Dr. Charles Humble
Criminologist
West Palm Beach, FL

Dr. Hugh Ridlehuber
Forensic Psychiatrist
Belmont, CA

Dr. James Valley
Forensic Psychologist
Jacksonville, FL

Dr. Thomas Joseph
Criminologist
St. Louis, MO

Prof. James Chapman
Criminologist
Elmira, NY

Chief William Withers
New Whiteand P.D.
New Whiteand, IN

Senior Instructors

D/Cmdr. Bob Martin (Ret.)
Lower Twp. P.D.
Lower Twp., NJ

Lt. Michael McQuillan (Ret.)
Prince George's Co. P.D.
Landover, MD

D/Cmdr. Bill Engelman (Ret.)
Hamilton Co. S.D.
Cincinnati, OH

Chief William Endler (Ret.)
Syracuse P.D.
Syracuse, IN

D. Glen Foster, M.A.
Atlanta P.D.
Atlanta, GA

Corporate Pilot

Captain Takashi Yamazaki

Law Enforcement Alert

Recently, a number of 'new' voice stress analysis devices were introduced into the market with claims such as being 'the DNA of thought'. The truth turns out to be that these are nothing more than old, failed vsa's that have been repackaged in an attempt to capitalize on the huge vsa market created by the NITV's Computer Voice Stress Analyzer (CVSA™). Although they pass out specious 'studies' conducted by polygraphers that claim that the CVSA doesn't work, they fail to explain why more than 1,400 law enforcement and federal agencies, including the U.S. Military, are now utilizing it.

The Truster (LVA)

It has come to our attention that the manufacturers of the Truster have now changed the named of their system (as have others in the past) and are calling it "Layered Voice Analysis" (LVA) - Same technology, new players. These individuals have launched a massive ad campaign to introduce their 'new' system in hopes of convincing unsuspecting departments or purchasing agents that they are getting the 'very latest in VSA technology.' However, the developers have admitted that the LVA/TiPi is the old Truster. In reality, they are getting the same system that declared that Bill Clinton was telling the truth when he said that he didn't have sexual relations with Monica Lewinsky.

A year ago we paid \$149.00 for our Truster but they are available for as little as \$29.00 (Skymall.com). However, if you want the 'latest' version', it will cost you \$16,000.00, is sold by "V", and manufactured by Nemesysco in Israel (see our Web Site). None of the principles have any experience in truth verification. The developers claim that the Truster/LVA is "mapping the DNA of thought." In other words, it can read your mind. Nemesysco also manufactures the "Love Detector" (see their web site: www.nemesysco.com).

Diogenes Lantern

Alfred F. Starewich, Vice President of The Diogenes Group, Criminal Justice Division, manufacturers of the Diogenes Lantern, recently appeared for the defense in court in Sandusky, Ohio. Mr. Starewich was presented by the defense as a nationally recognized expert in voice stress analysis. Mr. Starewich had reviewed a videotape of a CVSA examination conducted by Lt. Jarrett of the Sandusky P.D. on an individual that was suspected of murder. The suspect had failed two CVSA exams and subsequently confessed to the murder.

Mr. Starewich was hired by the defense to review and critique the videotape of the exam. Mr. Starewich wrote a report that criticized the testing techniques taught by the NITV and utilized by Lt. Jarrett as being so fatally flawed as to render the exam invalid. The defense was attempting to utilize Mr. Starewich's testimony as cause to suppress the confession, which could have caused the defendant to walk.

We were contacted by the Sandusky P.D. just prior to the suppression hearing and requested to assist in countering Mr. Starewich's testimony. After writing a rebuttal to Mr. Starewich's report, we decided to explore the Expert Witness Qualification Credentials provided by Mr. Starewich.

1. Mr. Starewich claimed that he had been the Chief Examiner for the Detective Division of the Burlingame P.D. (CA). Since the Burlingame P.D. Utilizes the CVSA, we contacted that agency and were told by that department's chief examiner that although Mr. Starewich did conduct a

number of PSE examinations for the department in the late 70's, he was never a sworn officer (the chief made him a Special Reserve) and certainly was not the 'Chief Examiner'. Additionally, shortly after he began conducting exams for that agency, he was arrested by the San Jose P.D. and charged with Solicitation to Commit Murder. Mr. Starewich was tried, convicted and served 1 year in prison for Conspiracy to Solicit Bodily Harm With A Deadly Weapon. (Mr. Starewich apparently failed to mention that on his Expert Witness form).

2. Mr. Starewich also stated that he was the Chief of Police of the St. Edwards University P.D. in Texas. We contacted that agency and were told that the university has only had a police department for ten years and that the recently retired chief had held that position for the entire time. The university stated that they had no record of Mr. Starewich being Chief of Police.

This was just a cursory investigation of Mr. Starewich's background. A more thorough review would possibly reveal additional information. Please retain this information in your records in the event Mr. Starewich appears in your jurisdiction attempting to portray himself as an 'Expert Witness'. For further information concerning Mr. Starewich or The Diogenes Group, you may contact them at 775-825-5729.

Dektor

The rights to produce and market the original Psychological Stress Evaluator and the company name Dektor have been acquired by a private investigator, Arthur Herring III, located in Lansdale, PA. You may recall that Dektor is the company that originally developed voice stress analysis. Unfortunately, Dektor declared Chapter 11 bankruptcy in the mid-80's and never recovered nor did they move beyond the old analog PSE.

Mr. Herring has recently sent out literature claiming that the PSE 4202 (analog - read, chart paper) is the "World's only proven system of voice stress analysis." He cites letters & information from the mid-to-late 70's.

However, what is very disturbing is that Mr. Herring claims in his literature that "Your equipment must say PSE or you have a gadget that is lying to you and your examiners. If your examiners were not trained and certified by Dektor, they are not able to perform accurate lie detection tests utilizing Voice Stress Analysis."

Mr. Herring ignores the fact that the PSE is now not generally used in law enforcement and that there are nearly 1,400 agencies, including the U.S. Military, now utilizing the CVSA. He claims that any instrument other than the PSE is a fraud.

To conduct your own investigation of the PSE and inquire as to how many law enforcement agencies are actually still utilizing the PSE since its introduction in 1971, you may write to Mr. Herring at 642 Cowpath Rd., Lansdale, PA 19446, or call him at 215-631-1448. You may also find it interesting that the Lansdale P.D. (PA) utilizes the CVSA.

Baker DVSA

Gary Baker, a private investigator, left the employment of The Diogenes Group in 2002 and introduced his own VSA which is very similar to the Diogenes Lantern. Baker gives away the software in the form of a 'grant' if the agency will pay \$1,000.00 per student to be trained. Baker fails to tell prospective clients that his software is set to 'time out' after one year and the client will have to negotiate a price to re-activate it. Each student that Baker trains must pay to be re-certified each year. We acquired the Baker DVSA and conducted a comprehensive analysis of the system. We determined that the literature describing the system was very misleading.

Just as there were the "imitators" (CCS's Mark II, the Hagorth, LEA's Mark 5 and several others) when the original PSE started to develop the voice stress analysis market, we are seeing a repeat of this today. The National Institute For Truth Verification has single-handedly developed the truth verification market utilizing voice stress analysis over the past sixteen years with a little over 5,000 law enforcement examiners at 1,400 law enforcement and federal agencies throughout the U.S. The CVSA is now also deployed with military Special Operations and Intelligence Units in Iraq and has a permanent presence at Guantanamo Bay. One of the many reasons for this is the fact that the NITV maintains the highest level of training standards and has developed an unquestioned reputation for integrity.

Before you or your department invests in a truth verification system and the training that is so critical to properly conducting successful exams, it is imperative that you ask the tough questions and scrutinize the system, the company, and the training prior to making the acquisition. For more information on the Computer Voice Stress Analyzer™ or the contact numbers for any VSA on the market today, visit our web site at NITV1.com.

Stress Management

Advanced / Recent Training

Training Registration

VSA Associations

Request Information

Contact Us

Comments: This device was first introduced in 1984 by Charles McQuiston and called the Verimetrics 1000. Although it was based on the original PSE, very few law enforcement agencies purchased it as it was very difficult to operate and its accuracy was never established. In 1995, the new owners of the system changed the name to the Diogenes Lantern and marketed it as a "new voice stress analyzer". Sold mostly to P.I.'s.

Device: *Truster/Vericator/TIPi, LVA*

Manufacturer: Sold under various names & by various companies: "V", Nemesysco

Date Introduced: February, 1997

Number of Known Law Enforcement Users: 0

Price: \$29.99, \$150.00/ \$1,500.00/ \$2,500.00/ \$9,500.00, \$16,000.00

Cost and Length of Training: Manual is provided with purchase
Voice: 516-625-5787

Fax: 561-625-0988

Comments: On their Web Site under 'Hot Press Release' the manufacturer states that the Truster was used to analyze President Clinton's statement made on January 26, 1988 in which Mr. Clinton denied having sex with Monica Lewinsky. The Truster found that Mr. Clinton was telling the truth. In light of his later admissions, it appears that the Truster was incorrect. Other reviews of the Truster have found the same results. Recently the rights to market the Truster in the U.S. have been purchased by several different individuals and it is being marketed under several different names as "The latest in lie detection technology" and "The DNA of thought." Nemesysco also manufactures the "love detector".

Device: *Psychological Stress Evaluator 4202 (PSE)*

Manufacturer: Dektor, Landsdale, PA

Date Introduced: January, 1970

Number of Known Law Enforcement Users: 0

Price: \$9,500.00

Cost and Length of Training: \$1,400.00 per student, 5 days.

Voice: 215-631-1448

Fax: 215-631-1449

Comments: This is the original voice stress analyzer, however, even in its improved form, it is still the old analog version and requires the examiner to record the test and then go back and manually produce a chart (this adds 20-30 mins. to each test). The examiner must then analyze each response individually - light years behind today's technology. Recently, a private investigator named Arthur Herring III, acquired the PSE. The PSE is sold mostly to P.I.'s.



Go JAN MAR APR
12
2014 2015 2016

<http://cvsa1.com/Comparisons.htm>

52 captures

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National Institute for Truth Verification
Federal Services™

The World Leader in Voice Stress Analysis

One Company Provides CVSA Training, Assessment, News, Case-Solved Reviews, NACVSA, FAQ, Contact, Support

Voice Stress Analyzer Comparisons

Device: **Computer Voice Stress Analyzer® (CVSA®)**

Manufacturer: The National Institute for Truth Verification (NITV), West Palm Beach, FL

Date Introduced: March, 1988. Digital version introduced April, 1997. CVSA II with FACT Scoring Algorithm introduced in January 2007.

Number of Known Law Enforcement Users: Over 1,800 + federal agencies & U.S. Military.

Price: \$8,895.00 - US Law Enforcement/Government clients only.

Cost and Length of Training: \$1,295.00 per student. Certified Examiner Course is 5 days in length. Recertification (\$350) required every 2 years.

Phone: 561-798-6280

Fax: 561-798-1594

Website: www.cvsa1.com

Comments: The CVSA was developed based on the scientific research/studies and work related to the original PSE. It has evolved over the years from an analog to a digital system with loaded onto a state-of-art notebook computer or the military-version notebook/hand-held version. An independent survey commissioned by the U.S. Military's Special Operations Command of law enforcement agencies utilizing the CVSA produced an accuracy rate of 92%. Further field studies in 2007 and 2008 by the US Special Forces in Iraq produced a confirmation accuracy rate of 98%. This finding was mirrored by the extensive testing done in 2007 with a number of major metropolitan law enforcement agencies for the CVSA II - all with an average accuracy level of the CVSA II with the new FACT Scoring Algorithm to be 96-98%. The CVSA is the only voice stress analyzer whose accuracy and ease of use has allowed it to be widely accepted and utilized in both the law enforcement and the U.S. military.

Device: **Psychological Stress Evaluator 5128 (PSE)**

Manufacturer: Dektor, Lansdale, PA

Date Introduced: January, 1970

Number of Known Law Enforcement Users: 1

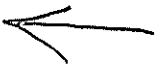
Price: \$5,500.00

Cost and Length of Training: \$2,500.00 per student, 14 days training, no re-certification required.

Phone: 215-631-1448

Fax: 215-631-1449

Comments: This is the name of both the original company and the original voice stress analyzer, but that's where the similarities end. In its current configuration, this PSE is not state-of-art. The main drawback is that it has no automatic scoring algorithm - light years behind today's technology. Anyone considering the PSE should contact Chief Gary York at the Grand Jury D. (OH). "After my experience with the PSE and its owner, I feel confident the CVSA will better assist the Det. Bureau in doing their jobs." Following Detective Dalton's graduation from NITV Certified Examiners Course, he wrote "Having had an experience going through PSE training with DEKTOR, NITV as well as its instructors are head and shoulders above. The CVSA technology is state of the art, with 1st class, knowledgeable instructors, and ultimate professionalism company wide. A very pleasing experience... Thank you!" A number of agencies have traded in their PSE's for CVSA II. The PSE is sold mostly to P.I.'s.



It was also made up by Nitv to make the Chapman article look real so law enforcement would buy Cvsa. Since about 2012, Nitv has paid a person called Marigo Stathis to go around the country promoting the fake article to convince law enforcement to buy Cvsa.

27. On the Nitv website and in ads in law enforcement magazines, they promote the fake "Chapman Study" to get buyers.
28. Nitv/lawyer's Complaint even refers to the Chapman article as the "2012 peer reviewed study.....". A so called "study" that NEVER mentions Nitv or Cvsa at all.
29. Nobody has been able to find where the so-called publisher is located of the "journal", Criminalistics and Court Expertise. I contacted Nitv lawyer Desousa for about a year. He finally sent me a email saying Nitv does not know where it is located. If Nitv does not ^{know} where the publisher of that journal is located, then how did their own employee, Chapman, of 20 years, know where to send his "study" for it to be published? Why didn't Nitv ever get copies of the journal for themselves? According to the page numbers at the bottom of Chapman's article, the journal would have to be a book of about 250 pages.
30. Nitv/lawyers send letters all the time, using the courts as thugs, demanding various things of people or businesses Nitv does not like. If Nitv does not get what they want, they threaten law suits and sue just to waste people's money. They have sued their former employees. This is the 2003 letter sent to me by Nitv' lawyer Slavin threatening me with a lawsuit unless I delete all information on my website exposing Nitv as a fraud. I refused to do so and Nitv never sued.
31. In 2019, Nitv/lawyers sent a letter threatening to sue a 20 year news website and its owner Maschke unless they delete all his information and documents that proved Nitv/cvsa was a fraud. Maschke's lawyer sent them a very nasty reply and Nitv did not sue Maschke.
32. For over 20 years, Nitv sent out tens of thousands of emails, faxes and website postings with lies about myself, Dektor and PSE to take sales away from me. Nitv knew they could say anything they wanted that were lies, but other people did not have the money to sue them.
33. In 2016, Nitv's website lied about a police department, Groveport, dealings with my company. Groveport bought our equipment and sent 3 detectives to be trained. They all flunked the course because they got drunk every night. After they left, they contacted Nitv and Nitv said they would give them free Cvsa's if they agreed to say negative things about Dektor on Nitv's website to take sales away from Dektor.
34. One of Plaintiff's lawyers, Advisor Law, brags he can hide people's assets from lawsuit judgements. In other words, even if someone sues Nitv and spends a lot of money, the person will not be able to collect. Baker, who sued Nitv for liable and won almost \$1 million 10 years ago, still has not been able to collect. Recently, Nitv was ordered back to court to show where their assets are to pay Baker. See Exhibit 21.
35. A, B, C. Lawyers Desousa Law and Advisor Law knew their lawsuit was a fraud from the beginning because they admitted it in their original Complaint (Exhibits 1,2,3) and knew Mosquera was false (Exhibit 4) for the sole purpose of keeping their lawsuit in Florida, when it belonged in Pennsylvania. The lawyers knew their lawsuits only purpose was to help a conman by wasting other people's money and putting them out of business and to help them financially prosper. Even though Desousa and D'loughy are not licensed in Pennsylvania, they are working under the third lawyer in this case, Weisgold. As a lawyer, Weisgold is obligated to do his "Due Diligence" when he became involved in this case. All three lawyers are bound by the Rules for Lawyers in Pennsylvania. Desousa and d'loughy knew that the lawsuit was a fraud and were obligated, even under Florida's Rules, to withdrawl from the case. They

mckame@outlook.com - New Tab

The Rules of Professional Con

(4) Inbox | hirthur20@proton

44BP Medicare Plans from U

padisciplinaryboard.org

BACK TO TOP

WITHDRAWAL OF A LAWYER'S SERVICES

Withdrawal

[24] If the lawyer's services will be used by the client in materially furthering a course of criminal or fraudulent conduct, the lawyer must withdraw, as stated in Rule 1.16(a)(1). After withdrawal the lawyer is required to refrain from making disclosure of the client's confidences, except as otherwise provided in Rule 1.6. Neither this Rule nor Rule 1.8(b) nor Rule 1.16(d) prevents the lawyer from giving notice of the fact of withdrawal, and the lawyer may also withdraw or disaffirm any opinion, document, affirmation, or the like. Where the client is an organization, the lawyer may be in doubt whether contemplated conduct will actually be carried out by the organization. Where necessary to guide conduct in connection with this Rule, the lawyer may make inquiry within the organization as indicated in Rule 1.13(b).

Acting Competently to Preserve Confidentiality

[25] Pursuant to paragraph (d), a lawyer should act in accordance with court policies governing disclosure of sensitive or confidential information, including the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania. Paragraph (d) requires a lawyer to act competently to safeguard information relating to the representation of a client against unauthorized access by third parties and against inadvertent or unauthorized disclosure by the lawyer or other persons who are participating in the representation of the client or who are subject to the lawyer's supervision. See Rules 1.1, 5.1, and 5.3. The unauthorized access to, or the inadvertent or unauthorized disclosure of, information relating to the representation of a client does not constitute a violation of paragraph (d) if the lawyer has made reasonable efforts to prevent the access or disclosure. Factors to be considered in determining the reasonableness of

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Offering Evidence

[5] Paragraph (a)(3) requires that the lawyer refuse to offer evidence that the lawyer knows to be false, regardless of the client's wishes. This duty is premised on the lawyer's obligation as an officer of the court to prevent the trier of fact from being misled by false evidence. A lawyer does not violate this Rule if the lawyer offers the evidence for the purpose of establishing its falsity.

[6] If a lawyer knows that the client intends to testify falsely or wants the lawyer to introduce false evidence, the lawyer should seek to persuade the client that the evidence should not be offered. If the persuasion is ineffective and the lawyer continues to represent the client, the lawyer must refuse to offer the false evidence. If only a portion of a witness's testimony will be false, the lawyer may call the witness to testify but may not elicit or otherwise permit the witness to present the testimony that the lawyer knows is false.

[7] The duties stated in paragraphs (a) and (b) apply to all lawyers, including defense counsel in criminal cases. In some jurisdictions, however, courts have required counsel to present the accused as a witness or to give a narrative statement if the accused so desires, even if counsel knows that the testimony or statement will be false. The obligation of the advocate under the Rules of Professional Conduct is subordinate to such requirements. See also Comment [9].

[8] The prohibition against offering false evidence only applies if the lawyer knows that the evidence is false. A lawyer's reasonable belief that evidence is false does not preclude its presentation to the trier of fact. A lawyer's knowledge that evidence is false, however, can be inferred from the circumstances. See Rule 1.0(f). Thus, although a lawyer should resolve doubts about the veracity of testimony or other evidence in favor of the client, the lawyer cannot ignore an obvious falsehood.

3.3 Candor Toward the Tribunal

(a) A lawyer shall not knowingly:

- (1) make a false statement of material fact or law to a tribunal or fail to correct a false statement of material fact or law previously made to the tribunal by the lawyer;
- (2) fail to disclose to the tribunal legal authority in the controlling jurisdiction known to the lawyer to be directly adverse to the position of the client and not disclosed by opposing counsel; or
- (3) offer evidence that the lawyer knows to be false. If a lawyer, the lawyer's client, or a witness called by the lawyer, has offered material evidence before a tribunal or in an ancillary proceeding conducted pursuant to a tribunal's adjudicative authority, such as a deposition, and the lawyer comes to know of its falsity, the lawyer shall take reasonable remedial measures, including, if necessary, disclosure to the tribunal. A lawyer may refuse to offer evidence, other than the testimony of a defendant in a criminal matter, that the lawyer reasonably believes is false.

(b) A lawyer who represents a client in an adjudicative proceeding and who knows that a person intends to engage, is engaging or has engaged in criminal or fraudulent conduct related to the proceeding shall take reasonable remedial measures, including, if necessary, disclosure to the tribunal.

(c) The duties stated in paragraphs (a) and (b) continue to the conclusion of the proceeding, and apply even if compliance requires disclosure of information otherwise protected by Rule 1.6.

Exhibit 36 A

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION

CASE NO. 06-81027-CIV-MARRA/JOHNSON

NITV, LLC,

Plaintiff,

vs.

DAVID HUGHES; ROBERT MARTIN;
COMPUTER VOICE STRESS TESTING
& CONSULTING INC., a Florida corporation;
VIPRE SYSTEMS, LLC, a Florida limited liability
company; VIPRE-VOICE STRESS SALES &
TRAINING, LLC, a Florida limited liability
company; and INTERNATIONAL LAW
ENFORCEMENT TRAINING SOLUTIONS,
LLC, a Florida limited liability company;

Defendants.

**DEFENDANT VIPRE SYSTEMS, LLC'S RESPONSE IN OPPOSITION
TO MOTION FOR PROTECTIVE ORDER AND TO QUASH SUBPOENA
FOR WILLIAM THOMAS GOLDEN (DOCKET NO. 268)**

Defendant, VIPRE Systems, LLC, ("VIPRE") through counsel, hereby responds in opposition to Plaintiff, NITV, LLC ("NITV") and third-party William Golden's Motion for Protective Order and to Quash Subpoena (Docket No. 268), and states as follows:

I. INTRODUCTION

As part of its discovery in both this action and the earlier-filed VIPRE Action pending in the Middle District of Florida, VIPRE seeks the deposition of NITV agent, William Golden. The deposition has been noticed in both cases, and because the actions mirror each other, the parties agreed to use discovery interchangeably in the

Exhibit 37
36 B

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two cases.¹ Mr. Golden's representation that he has no information relevant to the disputes between VIPRE and NITV is brashly disingenuous. Mr. Golden has stated to this Court that he is recurrently retained by NITV. VIPRE has evidence, discussed below, that Mr. Golden was recently retained by NITV to engage in a malicious campaign against VIPRE on the Internet. These acts are relevant to the copyright and trade secret matters in this case including (a) the issues of "access" and non-infringement, (b) VIPRE's defenses, including, unclean hands and copyright misuse, and (c) VIPRE's affirmative claims for tortious interference and unfair competition.²

II. ARGUMENT

A. Golden Has Relevant Information

Mr. Golden states in his sworn declaration that he is recurrently retained by NITV for various "matters." (Golden Sworn Statement, Dkt. 268-4). It appears that these "matters" consist of performing NITV's dirty work. In the case referenced by Mr. Golden in his declaration, he was sued by an individual after writing a letter to the individual's defense contractor employer on behalf of NITV, which letter led to the individual's termination. Mr. Golden challenged jurisdiction and a suit is pending in Arkansas where Mr. Golden resides.

Mr. Golden was also retained by NITV to investigate copyright infringement of the CVSA software at issue in this case. For example, NITV hired Mr. Golden to investigate copyright infringement by John Ryan and Patrick Flood. The Court will recall that Mr.

¹ See transcript of Deposition of NITV corporate representative and statement of NITV counsel on record at Ex. 1, p. 171, ll. 10-13.

² VIPRE has a motion to dismiss pending, based on the fact that its earlier filed action in the Middle District of Florida was the first-filed suit and involves the same copyright and trade secret claims NITV filed here. While VIPRE believes this action should be dismissed against it so that the parties can prepare the Middle District case for trial, VIPRE will file affirmative defenses of unclean hands and copyright misuse, among others, as well as claims for affirmative relief, if the motion to dismiss is denied.

Exhibit
37

2,000 U.S. law enforcement agencies and thousands of criminal justice pro-
examiners, and the organization hosts continuing education and professional
and construction, and covert interview-
ing and subsequent analysis.

18-YEAR FIELD STUDY VALIDATES COMPUTER VOICE STRESS ANALYZER AS MOST ACCURATE TRUTH VERIFICATION TECHNOLOGY

Independent, peer-reviewed research has validated the accuracy of the Computer Voice Stress Analyzer. According to the National Association of Computer Voice Stress Analysts, a recently published research study in the 2012 annual edition of the scientific journal *Criminalistics and Court Expertise* reports the accuracy rate of the (CVSA) is greater than 95 percent, an assertion long made by the system's manufacturer. The study's results are further bolstered by current U.S. Government-funded voice analysis research, which has established voice technologies performed well for border security applications.

The 18-year field study was conducted by Professor James L. Chapman and titled "Long-Term Field Evaluation of Voice Stress Analysis in a North American Criminal Justice Setting." Professor Chapman was known as the world's foremost authority on the application of Voice Stress Analysis technologies.

Recently deceased, Professor Chapman's career spanned over 40 years as a criminologist, educator and researcher, during which he conducted more than 15,000 Voice Stress Analysis examinations. The study's co-author, Marjorie Stathis, a neuroscientist and research analyst, has been

the primary or co-author of 27 published scientific articles and studies focusing on various topics related to the human brain and biology.

Professor Chapman used the CVSA to conduct the research and the results achieved were highly consistent throughout the period the study's data were collected. The study's findings revealed the CVSA, when used as an investigative support tool, can accurately predict whether a person under investigation is being truthful or deceptive.

The study's findings are supported by scientifically accepted statistical models, and by the 96.4 percent validated confession rate Professor Chapman attained during the course of the 18-year study. According to current scientific research and meta-analyses, police confession rates worldwide vary between 20-45 percent, with even the most experienced police interviewers only achieving a 30-35 percent confession rate.

Empirical data collected by the CVSA's manufacturer, U.S. law enforcement and U.S. military CVSA users have long supported such findings; however, this is the first independent and peer-reviewed scientific study to validate these data. Additional studies and research are planned for the future.

Exhibit 38

302



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Training Enrollment

AIS® Training

Analytical Interviewing System™ (AIS™)

The Most Advanced and Modern Interviewing System
Currently Offered to Law Enforcement

The NITV is pleased to announce the acclaimed and successful Analytical Interviewing System (AIS) course, which is a new and innovative approach to determining a subject's truthful or deceptive behaviors. By integrating the newly developed Team Interviewing Process, Personality Profiling, Interview Planning, Advanced Kinesics, and Defense Barrier Removal (DBR®) techniques, the NITV has developed a cutting-edge and modern interviewing system which will dramatically increase confession and admission rates.

The AIS Course is now available to all individuals whose duties require conducting interviews. This course does not require the use of the CVSA or any other special equipment – everyone is eligible to attend this course. The techniques provided in the AIS course have been successfully proven and adopted by US and Canadian law enforcement agencies, as well as US Military and Intelligence professionals worldwide. The techniques, as taught by the NITV, have also been extremely effective in multi-cultural and cross-cultural interviews. Interviews conducted using the AIS methodology effectively remove barriers to obtaining truthful and accurate information from both cooperating and non-cooperating individuals.

The AIS course is presented by internationally recognized instructors, who are acknowledged subject matter experts in interview and interrogation techniques.

These are some of the comments from our students concerning the advanced interview techniques taught only by the NITV in the AIS:

"I have been in law enforcement for about 24 years and have been fortunate enough to attend many interviewing and interrogation schools. The NITV's training program was by far the most intense, educating, and most useful school that I have attended." – Det. Kent McAllister, Sex Crimes Section, Metropolitan Nashville Police Dept., Nashville, TN

"Excellent, highly professional and relevant training that has direct application to our mission requirements. This training has been invaluable in Iraq and Afghanistan for Special Forces missions. NITV's interview and interrogation techniques were found to be highly effective in obtaining information from suspects and intelligence sources." – US Army Special Forces Intelligence NCO (name withheld to protect identity)

"Best training in my 20 years of law enforcement." – D/Sgt. Mike Bowles, California Highway Patrol, Sacramento, CA

"I have been to a number of classes on Interviewing and Interrogation, including John Reid, but none were as good as the (AIS) class. I have been an investigator for over 25 years and am sure that I have seen most of the good training out there. This is the best." – Det/Lt. Darrell Flora, St. Clair Police Dept., St. Clair, MO

2009 Seminar Fee

3-Day Course Fee

Tuition - \$495.00 per Person



The NITV is pleased to announce the acclaimed and successful Analytical Interviewing System (AIS) course which is a new and innovative approach to determining a subject's truthful or deceptive behaviors. By integrating the newly developed Team Interviewing Process, Personality Profiling, Interview Planning, Advanced Kinesics, and Defense Barrier Removal (DBR®) techniques, the NITV has developed a cutting-edge and modern interviewing system which will dramatically increase confession and admission rates.

The AIS course is presented by internationally recognized instructors, who are acknowledged subject matter experts in interview and interrogation techniques.

To enroll in an upcoming AIS class please click on the following form:

- Training Enrollment Form

NITV
11400 Fortune Circle
West Palm Beach, FL 33414
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Fax: (561) 799-1594
Toll Free: (888) 266-7263

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